

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/10/19

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SHARRON THOMAS,

Plaintiff,

-against-

HIGHGATE HOTELS, L.P.,

Defendant.
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19 Civ. 7408 (LGS)

AMENDED ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on August 8, 2019, Plaintiff filed a complaint against Defendant, alleging violations of the Fair Labor Standards Act (“FLSA”) and New York law (Dkt No. 1);

WHEREAS, on October 16, 2019, Plaintiff filed a letter on behalf of the parties notifying the Court that the parties had reached a settlement in the above-captioned case (Dkt No. 17);

WHEREAS, by Order dated October 17, 2019, the parties were required to submit the settlement agreement along with a joint letter and supporting evidence explaining why the agreement should be approved as “fair and reasonable” under *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206 (2d Cir. 2015), *cert denied.*, 136 S. Ct. 824 (2016) (Dkt No. 18);

WHEREAS, by Order dated October 30, 2019, the deadline to submit the materials was extended to November 22, 2019 (Dkt No. 21);

WHEREAS, on November 20, 2019, the parties timely filed the above-referenced materials for approval on the Docket. (Dkt No. 22);

WHEREAS, on November 25, 2019, the parties’ settlement agreement was not approved in its current form and the parties were directed to file new settlement materials by December 5, 2019 (Dkt No. 23);

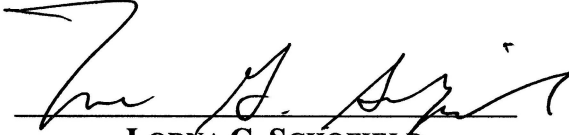
WHEREAS, on December 5, 2019, the parties timely filed the above-referenced materials for approval on the Docket (Dkt No. 24). It is hereby

ORDERED that the settlement agreement is APPROVED as fair and reasonable based on the nature and scope of Plaintiff's claims and the risks and expenses involved in additional litigation. *See Cheeks*, 796 F.3d at 206. It is further

ORDERED that Plaintiff's counsel's request of \$13,000 in attorneys' fees and costs is GRANTED. The remainder of the settlement shall be distributed to Plaintiff.

The Clerk of Court is respectfully directed to close this case.

Dated: December 10, 2019
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE